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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

NOVELL, INC.,

Defendant/Counterclaim-Plaintiff.

**[PROPOSED] ORDER GRANTING
SCO'S EX PARTE MOTION FOR
LEAVE TO FILE ITS
MEMORANDUM IN OPPOSITION TO
NOVELL'S MOTION FOR PARTIAL
SUMMARY JUDGMENT ON SCO'S
NON-COMPETE CLAIM IN ITS
SECOND CLAIM FOR BREACH OF
CONTRACT AND FIFTH CLAIM FOR
UNFAIR COMPETITION**

Case No. 2:04cv139

Honorable Dale A. Kimball
Magistrate Judge Brooke C. Wells

This matter comes before the Court on the Ex Parte Motion of Plaintiff/Counterclaim-Defendant The SCO Group (“SCO”) for Leave to File its over length *Memorandum In Opposition To Novell’s Motion For Partial Summary Judgment On SCO’s Non-Compete Claim In Its Second Claim For Breach Of Contract And Fifth Claim For Unfair Competition* (“Opposition”). The Court, having considered the matter, hereby determines that good cause and exceptional circumstances exist and hereby ORDERS that SCO be granted leave to file its over-length Opposition consisting of 44 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

DATED: _____, 2007

BY THE COURT:

Honorable Dale A. Kimball